

Delegated Report

Planning Reference 24/00867/HOU
Applicant(s) Mr Guy Perry
Ward Burbage, St. Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Application Site 142 Hinckley Road, Burbage

Proposal Two storey rear extension with Juliette balcony to first floor, single storey front and rear extensions and associated works

Case Officer Sullivan Archer (Senior Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. This householder planning application seeks full planning permission for a two-storey and single storey rear extension to 142 Hinckley Road, Burbage, as well as the provision of a replacement porch, a single storey front extension and a window on the first floor on the front elevation of the property. The dwelling is re-finished with white render, but the existing architectural brick detailing is retained.
- 2.2. The two-storey rear extension replaces an existing two-storey flat-roofed extension and a conservatory with two 7.5m high gable-fronted gable roof structures. The extensions are set in from the southern side elevation by 0.7m to match the existing extensions and covers the entire rear elevation of the property. The southern-most protrusion of this two-storey rear extension has the same depth as the existing two-storey extension (3.6m), and the northern-most element of this has extension has a depth of 4.5m and features a Juliette balcony.
- 2.3. The single storey rear extension has the same width and is set in from the southern side elevation like the two-storey rear extensions but extends 5m further beyond the existing extensions on the property. The single storey extension is constructed with a 2.8m flat roof.
- 2.4. The single storey front extension has a width of 5.1m and a depth of 2.3m, which brings it in line with the existing front elevation of the property. This front extension utilises a mono-pitch roof that has a height of 3.5m. These two elements of the front elevation of the scheme are separated by the replacement porch, which externally measures 2.4m in width by 0.6m in depth. The front porch features a gable-fronted dual pitched roof that has a ridge height of 4.1m.

- 2.5. Amended plans were submitted following concerns raised by the Case Officer in relation to the height and depth of the development, and inconsistencies within the submitted plans.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located to the northeast of Burbage on the eastern side of Hinckley Road. The site is bounded by residential properties to the north and south, the playing fields of Hastings High School to the west beyond Hinckley Road, and the Woodland Avenue Allotments to the east. Due to the variety of styles and designs of buildings, there is no discernible unique character to Hinckley Road's Street scene in this location.
- 3.2. The site consists of 142 Hinckley Road, which is a two-storey, detached, four-bedroom property that is set back from the highway and constructed with red brick and features a partial pebble dash rendered finish on the first floor of its front elevation. The property has a gable-ended slate tiled roof with a front projecting gable on the northern side of its principal elevation.

4. Relevant Planning History

4.1 21/01238/HOU

- Single storey front and rear extension including a first floor extension at the rear
- Permitted
- 22.04.2022

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents and a site notice was posted within the vicinity of the site. Local residents were re-consulted following the submission of revised plans. No responses have been received.

6. Consultation

- 6.1 Burbage Parish Council did not object to the development proposal.
- 6.2 Leicestershire County Council's Ecology Department had a holding objection to the development, subject to receipt of the details of the bat boxes and swift nesting boxes on the development, as per the recommendations of the submitted Bat Emergence and Re-Entry Surveys Report.
- 6.3 However, a Bat Low Impact Licence (BLICL) is required to undertake the proposed works, and it is considered by the Local Planning Authority that the details of the bat boxes and swift nesting boxes can be secured via planning condition.

6.4 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 4: Development in Burbage

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 Burbage Neighbourhood Plan 2015 – 2026 (BNP) (2021):

- Policy 2: Design and Layout
- Policy 4: Parking

7.4 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.5 Other Relevant Guidance:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Extensions to existing domestic properties are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:

- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

- 8.3 Policy 2 of the BNP confirms that any residential development must respect its surroundings.
- 8.4 The single storey front extension does not protrude further than the existing front elevation of the property. However, the proposed porch extends 2.4m beyond the front of the dwelling, which is contrary to the Good Design Guide. In addition, the two proposed works extend over half of the front elevation of the property, which is also contrary to the Good Design Guide.
- 8.5 Notwithstanding this, these two proposed elements are single storey in massing and infill the existing front corner of the dwelling. As a result, it is not considered that the proposal appears overly prominent or incongruous to the character of the host dwelling. On the contrary, the design of the scheme is considered to provide a balanced appearance to the property, and the contemporary style of the new landing window and porch are considered to complement and enhance the character of the dwelling and the surrounding area in these site-specific circumstances.
- 8.6 The proposed rear extensions replace an existing unsympathetic two-storey extension, which is considered to improve the character and appearance of the property. Whilst the two-storey elements of these extensions increase the scale and massing of the property towards its northern side elevation, the depth of this two-storey massing does not increase on the southern side of the property and only increases the depth of the development by 0.8m in comparison to this on the northern side of the dwelling. Furthermore, these extensions are to the rear of the property and are set down from the existing ridge of the property and are considered to appear subordinate to the main dwelling.
- 8.7 Although the proposed rear extensions represent a substantial increase in the mass and footprint of the dwelling, it is considered that the resulting dwelling does not appear out of scale with the large plot in which it is located or with neighbouring development.
- 8.8 By virtue of these factors, the scheme is considered to complement and enhance the character of the surrounding area in accordance with Policy DM10 of the SADMP, and the Good Design Guide.

Impact upon Residential Amenity

- 8.9 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.10 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity. Notwithstanding this, these separation distances are the minimum

standards that are required, and every application will be assessed on its own merits depending on the individual characteristics of the site such as orientation, ground levels, window positions, garden size, and shape.

- 8.11 The two closest properties to the development are 140 Hinckley Road to the south and 144 Hinckley Road to the north. There are no residential properties to the east or west of the site.
- 8.12 The amendments to the front of the property and the single storey rear extension are not considered to result in any significant adverse impacts to neighbouring residential amenity. Moreover, the proposed extensions do not reduce the size of the host dwelling's garden below the minimum standards detailed within the Good Design Guide.
- 8.13 No windows are proposed on either side elevation of the property. The proposed Velux windows are high level and are not considered to result in any overlooking or loss of privacy. In addition, although an existing window to the bathroom on the first floor is increased in size on the northern side elevation of the property, this can be secure glazed via planning condition. As a result, the scheme is not considered to cause any loss of privacy or overlooking impacts to neighbouring residential amenity.
- 8.14 Based on the Proposed Block Plan, the proposed extensions are separated from 140 Hinckley Road by 1.9m. The footprint of the two-storey massing of the rear extension closest to this neighbouring property does not increase in comparison to the existing two-storey extensions. Whilst the height of the new proposals is larger than the existing extensions, the scheme features a gable-ended roof and therefore the increased height of the structure extends away from 140 Hinckley Road. Furthermore, based on the Proposed Block Plan, the two-storey rear extension is not considered to contravene the 45-degree rule to any of the principal habitable windows of 140 Hinckley Road.
- 8.15 Given the above, the scheme is not considered to result in any significant adverse impacts to the residential amenity of 140 Hinckley Road as a result of any overbearing or loss of light impacts.
- 8.16 Based on the Proposed Block Plan, the proposed two-storey extension is separated from 144 Hinckley Road by 1.5m. Currently, the existing two-storey massing on the northern side elevation of the host property is set back from the rear elevation of 144 Hinckley Road. Whilst the proposed extensions would extend built form beyond the rear elevation of this neighbouring property, based on the Proposed Block Plan, this proposal is not considered to contravene the 45-degree rule to any of the principal habitable windows of 144 Hinckley Road.
- 8.17 In light of this separation and the size, scale, and depth of the proposed development, the scheme is not considered to result any significant adverse impacts to the residential amenity of 140 Hinckley Road as a result of any overbearing or loss of light impacts.

- 8.18 By virtue of these factors and the fact that there have been no objections to the scheme, the proposal does not result in any significant adverse impacts to neighbouring residential amenity in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.19 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.20 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.
- 8.21 The proposal makes no amendments to the existing vehicular access to the site, nor the existing off-street parking provision for the property. The scheme does not increase the number of bedrooms within the property and by virtue of these factors, the scheme is not considered to have a material impact on highway safety or the road network. Therefore, the scheme is in accordance with Policies DM17 and DM18 of the SADMP.

9. Equality Implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

- 9.3 There are no known equality implications arising directly from this development.

- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which

makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

- 11.1 **Grant planning permission** subject to:

- Planning conditions detailed at the end of this report.

11.2 Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

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|--|-------------------------|
| • Existing Floor Plans & Elevations (001A) | (submitted: 24.10.2024) |
| • Existing & Proposed Block Plans (004A) | (submitted: 24.10.2024) |
| • Proposed Block Plan & Sections (005A) | (submitted: 11.12.2024) |
| • Proposed Elevations (003C) | (submitted: 11.12.2024) |
| • Proposed Floor Plans (002C) | (submitted: 11.12.2024) |

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The development hereby permitted shall not be brought into use until a Biodiversity Enhancement Scheme has been submitted to, and approved in writing by, the Local Planning Authority. Enhancements should include, but is not limited to, bat boxes and swift nesting boxes, and their make/model and locations. Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The window on first floor of the northern side elevations of the property that's waves the bathrooms that are utilised within the Master Bedroom's en-suite shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable below 1.7m above the floor of the room. Once so provided the window shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The flat roof of the single storey rear extension hereby permitted shall not at any time be used as a balcony or sitting out area and no balustrade, railings, wall or other means of enclosure be erected on any part of the flat roof.

Reason: To protect the residential amenity and privacy of neighbouring properties in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. Prior to installation, the details of any external lighting to be provided in association with the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles), and shall be demonstrate that the lighting will not cause harm to bat or their habitats. The details shall be installed, maintained, and operated as approved.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
2. Nesting birds are protected under the Wildlife & Countryside Act 1981) as amended); therefore, all removal of trees, shrubs, and hedges should take

place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.

3. This development will require a Bat Low Impact Licence (BLICL) from Natural England for bats to make it lawful. You must be aware that to proceed with the development without first obtaining a License could result in prosecution.